

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JOHN SMITH,

Plaintiff,

v.

**CHALAK RESTAURANTS
CORDOVA LLC.**

Defendant.

CIVIL ACTION NO.

2:18-cv-02577-JPM-cgc

SUPPLEMENTAL COMPLAINT

COMES NOW the Plaintiff, John Smith, (hereinafter “Plaintiff”), and pursuant to the Court’s October 31, 2018 Order, files this Supplemental Complaint by adding the following information to paragraph 6 of the original complaint:

1. Mr. Smith visited the Genghis Grill restaurant located at 2362 N Germantown Pkwy, Memphis, TN 38016, during the month of November 2017. When he visited the facility, he was driving a Dodge Caravan.
2. Plaintiff, therefore, substitutes the original paragraph 6 with the following language:

Paragraph 6: Plaintiff John Smith travels from his home in Muscle Shoals, Alabama to Memphis, Tennessee at least once a year and usually more often. Mr. Smith enjoys going to Memphis because he likes the city. Mr. Smith enjoys dining at Genghis Grill because of its popular build-your-own- bowls. Mr. Smith intends to continue patronizing Genghis Grill because he wants to enjoy the premier dining experience that Genghis Grill offers by maintaining 80 delicious, fresh ingredients to build-your-own bowl. Mr. Smith visited the Genghis Grill restaurant located at 2362 N Germantown Pkwy, Memphis, TN 38016, during the month of November 2017. When he visited the facility, he was driving a Dodge Caravan. He will return not

only to dine, but also to confirm compliance with the ADA by the Defendant. Plaintiff cannot provide a specific time and date upon which he will return to the restaurant because he has not and should not be expected to engage in such definite future planning. Plaintiff, like other customers, often patronizes a restaurant on the spur of the moment. Such specific planning is not necessary to invoke the ADA. Mr. Smith definitely intends to return to Genghis Grill in the near future. He will continue to dine there when it has been made ADA compliant.

Respectfully Submitted, this the 21st Day of November, 2018.

/s/ **Bradley D. McAdory**

BRADLEY D. MCADORY

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CERTIFICATE OF SERVICE

This is to certify that I have this day filed with the Clerk of Court the aforementioned Supplemental Complaint for service of process by USPS mail or electronic mail, postage prepaid and properly addressed this 21st day of November, 2018 to the following:

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